

## **TITLE 13. DEPARTMENT OF MOTOR VEHICLES**

### **NOTICE OF WRITTEN COMMENT PERIOD ON PROPOSED ACTION TO MAKE EMERGENCY REGULATIONS PERMANENT**

The Department of Motor Vehicles (the department) has adopted, on an emergency basis, Section 15.07, Reduced Fee Identification Card, in Chapter 1, Division 1, Article 2, Title 13, of the California Code of Regulations. The regulations provide for the issuance of a reduced fee identification card and identify the form required to obtain the reduced fee identification card.

#### **SUBMISSION OF WRITTEN COMMENTS**

The department invites all interested persons or their representatives to submit written comments on the proposal to adopt the above described emergency regulations on a permanent basis. Comments should be addressed or delivered to the contact person identified below.

#### **DEADLINE FOR WRITTEN COMMENTS**

Any interested person or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 P.M. on November 22, 2004, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulation.

#### **PUBLIC HEARING**

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 P.M., fifteen (15) days prior to the close of the written comment period.

#### **CONTACT PERSON**

Inquiries relevant to the proposed action and questions on the substance of the proposed regulations should be directed to the department representative, Maria Grijalva, Department of Motor Vehicles, P.O. Box 932382, Mail Station E-244, Sacramento, California 94232-3820; telephone number (916) 657-9001; or [mgrijalva@dmv.ca.gov](mailto:mgrijalva@dmv.ca.gov). In the absence of the department representative, inquiries may be directed to the Regulations Coordinator, Deborah Baity, (916) 657-5690, or [dbaity@dmv.ca.gov](mailto:dbaity@dmv.ca.gov). The fax number for the Regulations Branch is (916) 657-1204.

#### **AUTHORITY AND REFERENCE**

The department proposes to adopt Section 15.07 under the authority granted by Vehicle Code Sections 1651 and 14902 in order to implement, interpret or make specific Vehicle Code Section 14902.

#### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Vehicle Code Section 14902 provides for a \$6 fee for an identification card issued to a person with an income level qualifying for special assistance programs. Section 14902 provides that determination of eligibility for a reduced fee identification card shall be made by a representative of a governmental or non-profit entity, which shall be subject to regulations adopted by the department. The proposed

regulations govern the issuance of an identification card at a reduced fee to person at a specified income level.

The department proposes to adopt Section 15.07 to identify the form required to be submitted in conjunction with an application for an identification card in order to verify that the applicant qualifies for a reduced fee identification card.

## **DOCUMENTS INCORPORATED BY REFERENCE**

The Verification of Reduced Fee Identification Card, form DL 937 (NEW 8/2004) is incorporated by reference in the proposed regulation, and is not proposed to be published in Title 13, California Code of Regulations.

## **FISCAL IMPACT STATEMENT**

- Cost or Savings to Any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: Local governmental agencies and non-profit agencies selecting to provide eligibility information to their clients under the proposed regulations will have minimal, but varying costs involved due to the variety of organizations potentially involved. The proposed regulations are voluntary. Governmental, and non-profit entities, are not mandated by statute to provide determination of income eligibility to their clients wishing to apply for a reduced fee California identification card.
- Costs or Savings in Federal Funding to the State: None.
- Cost Impact on Representative Private Persons or Businesses: The department is not aware of any cost impacts that a representative business would necessarily incur in reasonable compliance with the proposed action. There is currently a cost involved in obtaining a license.
- Effect on Housing Costs: None.

## **DETERMINATIONS**

The department has made the following initial determinations concerning the proposed regulatory action:

- The proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The regulatory action proposed by the department will provide for the issuance of a reduced fee California identification card for applicants who submit proof of a qualifying income status on a department form.
- The adoption of this regulation will not create or eliminate jobs or businesses in the state of California, nor will it result in the elimination of existing businesses, or reduce or expand businesses currently doing business in the state of California.
- The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. Local government agencies and non-profit agencies may select to provide eligibility certification on a department required form.

- The proposed regulatory action will not affect small businesses. The regulatory action will establish a department form required to be submitted in conjunction with an application for a California identification card in order to pay a reduced fee for the identification card.

### **ALTERNATIVES CONSIDERED**

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

### **AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS**

The department has prepared an initial statement of reasons for the proposed action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the express terms of the proposed action using underline or italics to indicate additions to, and strikeout to indicate deletions from, the California Code of Regulations. The contact person identified in this notice shall also make available to the public upon request the final statement of reasons once it has been prepared and submitted to the Office of Administrative Law, and the location of the public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (Initial Statement of Reasons and Express Terms) may be accessed at [www.dmv.ca.gov](http://www.dmv.ca.gov), Other Services, Legal Affairs Division, Regulatory Notices web page.

### **AVAILABILITY OF MODIFIED TEXT**

Following the written comment period, and the hearing, if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the full modified text with changes clearly indicated shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Requests for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.